

For a case dealing with limitations, where the administrator is also a creditor of the estate, see *Semmes v. Young*, 10 Md. 242.

As to how far the plea of limitations is applicable to orphans' court proceedings, see *Bowling v. Lamar*, 1 Gill, 358.

See notes to sec. 96.

1904, art. 93, sec. 98. 1888, art. 93, sec. 99. 1860, art. 93, sec. 100. 1798, ch 101, sub-ch. 9, sec. 13.

99. No administrator shall be obliged to discharge any claim of which vouchers and proofs shall be exhibited as aforesaid, but may reject and at law dispute the same, in case he shall have reason to believe that the deceased never owed the debt or had discharged the same or a part thereof or had a claim in bar.

Where an executor pays a claim in part, an administrator *d. b. n.* subsequently appointed may dispute the balance of the claim. *Pole v. Simmons*, 49 Md. 19.

This section referred to in construing section 107—see notes thereto. *Coburn v. Harris*, 53 Md. 372.

Cited but not construed in *Flater v. Weaver*, 108 Md. 672.

See notes to sec. 100.

Ibid. sec. 99. 1888, art. 93, sec. 100. 1860, art. 93, sec. 101. 1802, ch. 101, sec. 9.

100. In no case shall the order made by the orphans' court or register of wills that an account or claim will pass when paid be deemed of validity to establish such claim or account, but in case the administrator thinks fit to contest the same, such account or claim shall derive no validity from the order aforesaid, but shall be proved in the same manner as if no such order had been made.

The executor alone decides when to dispute a claim, and the only restraint upon him is that provided by section 104. *Bowie v. Ghiselin*, 30 Md. 557.

This section applied. Improper charges in a funeral bill. Custom. *Schaeffer v. Schaeffer*, 54 Md. 684.

In a suit by a creditor against an administrator, a *devastavit* may be inquired into. *Seighman v. Marshall*, 17 Md. 570.

For the effect of the orphans' court's determination upon a claim against an estate, and of the decision of the appellate court thereon, see *Levering v. Levering*, 64 Md. 413.

Cited but not construed in *Flater v. Weaver*, 108 Md. 672.

Ibid. sec. 100. 1888, art. 93, sec. 101. 1860, art. 93, sec. 102. 1798, ch. 101, sub-ch. 8, sec. 14.

101. An administrator shall discharge all just claims known to him, or pay each claimant his just proportion of the money then in his hands (retaining as herein directed), within thirteen months from the date of his letters, or within such further time, not exceeding four months longer, as shall be allowed by the orphans' court, on his making oath that he hath reason to apprehend that the personal estate and assets which are or shall be in his hands will be insufficient to discharge the just debts of and claims against the deceased; it shall likewise be his duty, once in every term of six months, after the first distribution, to make a distribution of the money which hath since come to his hands, until he shall have fully administered, and on failure, his administration bond may be put in suit.